

ER 9-3810A

4 JUN 1957

Mr. Charles H. Slayman, Jr.
Chief Counsel and Staff Director
Subcommittee on Constitutional Rights
Senate Committee on the Judiciary
United States Senate
Washington, D. C.

DOCUMENT NO.	
FOI NO.	
DATE	25/2/81
REVIEWER	

STAT

Dear Mr. Slayman:

Your letters of 23 May 1957 to General Cabell and to me request careful reconsideration of the acceptance by this Agency of the resignation submitted by Mr. [REDACTED]

STAT

At the time Mr. [REDACTED] was contemplating his marriage to an alien, he submitted his resignation in accordance with Agency regulations, requesting permission to stay on as an employee after marriage. The case was personally reviewed at that time by the Deputy Director of Central Intelligence, and it was his decision that no reason existed for making an exception to the Agency policy which prohibits retention of employees who contract alien marriages.

Subsequently, Mr. [REDACTED] retained an attorney, Mr. Harold Green of Washington, D. C., who approached our General Counsel for reconsideration of the acceptance of the resignation. The matter was again considered personally by the Deputy Director of Central Intelligence and was brought to my attention. I approved the original determination that no reason existed for an exception to the Agency policy. Mr. Green then addressed a letter to me giving his version of the entire affair, and I have had the case studied once more in detail. I have reviewed the results of this study and have written Mr. Green on 28 May 1957 once more affirming our position that no grounds existed for an exception to our policies in this regard. I am enclosing a copy of my letter to Mr. Green.

4697/a

The policies that have been adopted pertaining to alien marriages were put into effect only after the most careful consideration, and I firmly believe that they are necessary to the most effective administration of the Agency's activities.

If you desire any further information on this matter, I would suggest that you contact Mr. Lawrence Houston, General Counsel of this Agency, who is familiar with the details of the case. Mr. Houston can be reached at

Sincerely,

SIGNED

Allen W. Dulles
Director

Enclosure

CONCURRENCE:

NORMAN S. PAUL
Legislative Counsel

OGC:LRH:jeb

Rewritten by IG/LC/NSPaul:fm (3 June 57)

Distribution:

- O & 1 - Addr.
- 1 - DCI
- 1 - DDCI ✓
- 1 - ER
- 1 - Dir/Personnel
- 1 - Dir/Security
- 1 - Asst to DCI (Grogan)
- 1 - Legislative Counsel
- 1 - General Counsel w/ basic

STAT

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CHARLES H. SLAYMAN, JR.
 CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON THE JUDICIARY
 SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
 (PURSUANT TO S. RES. 49, 85TH CONGRESS)

May 23, 1957

Noted by D. DGI
 CPC/km

Executive Registry
 9-3876

Lt. General C. P. Cabell, USAF
 Deputy Director, Central
 Intelligence Agency
 2430 E Street
 Washington 25, D. C.

Dear General Cabell:

This is being addressed to both you and Director Allen W. Dulles to ask for a reconsideration of the "forced resignation" of [redacted], a former CIA employee. This case has been referred to the staff of this subcommittee for study.

It is our understanding that [redacted] was requested to resign his position with the Central Intelligence Agency as a consequence of his marriage to Miss [redacted] an alien, while he was on duty with CIA [redacted] was requested to resign apparently because of a policy of the Central Intelligence Agency under which an employee's marriage to an alien may be considered incompatible with the agency's effort to develop a career service. This Subcommittee has received information indicating that CIA has adopted the general policy of requiring the resignation of any employee who marries an alien except in cases where the agency determines that he has unique talents or experience which would warrant his retention.

[redacted] whose loyalty and security status is unquestioned, was not aware at the time of this policy. He has stated that he knew of numerous other employees of CIA who were permitted to marry aliens and keep their jobs. It was his understanding that the only question was whether his wife would be "cleared" from a security standpoint. She had been employed in sensitive positions by the United States Government [redacted] and is so employed today in Washington, D. C. So it is understandable that he had no doubts about whether she would be granted security clearance. In addition to being forced to resign after his marriage to Miss [redacted] he was denied promotion (due to his impending forced resignation) and also was denied "key money" for rental of an apartment [redacted]

Rec'd 5/27

4687

Page 2. General C. P. Cabell

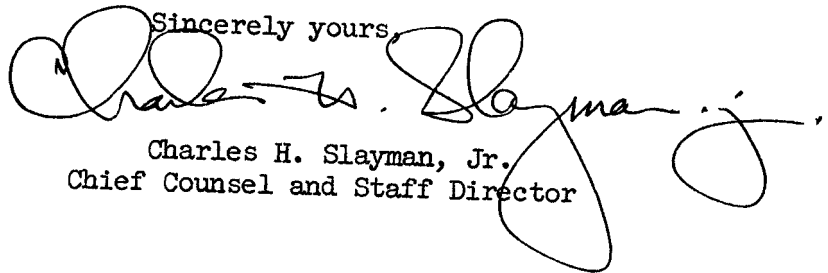
May 23, 1957

STAT subsequent to being moved out of government quarters because he was under grade GS-9. It was then necessary for him to pay \$350.00 for rental of adequate quarters for the remaining months of his tour of duty [redacted] he has been partially reimbursed for these expenditures.

Since the sole apparent reason for Mr. [redacted] "forced resignation" from the Central Intelligence Agency was due to his marriage to an alien -- an alien who is employed by the United States Government in a sensitive position -- it is suggested that, in the interest of fairness and justice, you and Mr. Dulles give this matter careful reconsideration.

STAT

Sincerely yours,



Charles H. Slayman, Jr.
Chief Counsel and Staff Director

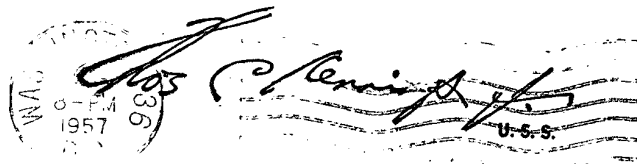
CHS:scg

United States Senate

COMMITTEE ON THE JUDICIARY

FREE

MAY 25 9 14 AM '57



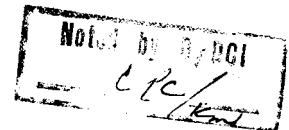
Lt. General C. P. Cabell, USAF
Deputy Director
Central Intelligence Agency
2430 E Street
Washington 25, D. C.

Will destroy

U.S. GOVERNMENT
ER 9-2399/a

fre
dm

28 MAY 1957



Mr. Harold P. Green
1700 K Street, N. W.
Washington 6, D. C.

Dear Mr. Green:

In your letter of April 24, 1957 you asked for reconsideration of the reinstatement of [redacted] whose resignation was accepted upon marriage to an alien. You have had explained to you the Agency policy in regard to such marriages and the basis upon which exceptions may be made. The question of what personnel policies will best serve the interests of this Agency and of how they will be applied is one which can be determined only by those responsible for the conduct of the Agency's affairs.

STAT

I have reviewed Mr. [redacted] case and see no basis for an exception to a policy which I have determined is necessary for the proper administration of this Agency. I have made this decision on the facts of the case, and the appearance and personality of Mr. and Mrs. [redacted] are in no way involved. I, therefore, feel that no purpose would be served by personal interview with Mr. and Mrs. [redacted] as requested by you.

STAT

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With regard to the specific points in your letter, you say you have reason to believe that our action was taken without knowledge of the fact that Mrs. [redacted] was cleared for secret access by two agencies of the Government. Mr. [redacted] included this information when he first submitted his request to the Agency for consideration.

STAT

STAT

You then say that Mr. [redacted] was not aware, at the time, of the Agency policy and that there were no regulations or instructions to inform him. In his application for permission to marry, Mr. [redacted] cited the pertinent regulation, which quite clearly indicates that security is only one consideration in alien marriages and that there are other grounds, based on Agency policy, for accepting a resignation.

STAT

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STAT

The question of Mr. [] promotion was decided not only in consideration of his past performance but also with reference to his future potential.

STAT

You mention that Mr. [] was only partially reimbursed for his "lay money" expenditure. Actually he was reimbursed on the basis of the full amount he claimed. It happened that he owed this Agency a small debt, which was, for convenient accounting, set off against his claim. For a time he maintained two separate living establishments simultaneously and at Government expense. Since this was for his own convenience and could not be authorized, the debt in question resulted.

STAT

I understand Mr. [] does not wish to avail himself of our offer to assist in other employment through our outplacement service, but if he should change his mind our offer still stands, and we shall be glad to do what we can in this regard upon his request.

Sincerely,

SIGNED

Allen W. Dulles
Director

OGC:LMH:jeb

cc: DCI

✓ DCI

HR

Director of Personnel

Director of Security

Asst. to DCI (Grogan)

General Counsel w/basic

(This run of carbons prepared O/DCI by mfb 5/28 -
proper carbons destroyed in error.)

ER 9-4587A

STAT

26 JUN 1957

Honorable J. Glenn Beall
United States Senate
Washington 25, D. C.

Dear Senator Beall:

This is in reply to your letter of 26 June 1957 concern-
ing Mr. [REDACTED], a former employee of this Agency.

Some time ago, a policy was adopted in this Agency prohibiting the retention of United States citizen employees who marry aliens, unless the most exceptional circumstances existed in individual cases. Regulations were issued in accordance with this policy. At the time Mr. [REDACTED] was contemplating marriage to an alien, he submitted his resignation in accordance with Agency regulations, and at the same time requested permission to stay on as an employee after marriage. His application was personally reviewed by the Deputy Director of Central Intelligence, who determined that there was no basis in this case for making an exception to the established Agency policy.

Subsequently, Mr. [REDACTED] retained an attorney, Mr. Harold Green, who approached our General Counsel for reconsideration of the case. The matter was reviewed again by the Deputy Director of Central Intelligence and also was brought to my attention. I approved the original determination that no reason existed for an exception to Agency policy. Mr. Green then wrote a letter to me giving his version of the entire affair, and the case was studied once more in detail. On 28 May 1957, having reviewed the results of this study, I wrote to Mr. Green and once more affirmed our position in Mr. [REDACTED] case.

STAT

The policy that has been adopted by this Agency with regard to alien marriages was put into effect only after the most careful consideration, and I firmly believe that it is necessary to the most effective administration of our activities. Mr. [] case was reviewed most painstakingly in the light of this policy, and with due regard to his personal circumstances and desires. I do not believe that any useful purpose would be served by a further review of the action we have taken. If you desire further information on the case, however, we will be happy to furnish it.

With kindest regards.

Sincerely,

SIGNED

Allen W. Dulles
Director

CONCUR:

(s) Lawrence R. Houston 20/55
General Counsel Date

IG/LC/NSPaul:fm

Distribution:

0 & 1 - Addressee

✓ ① - DCI

1 - DDCI

1 - ER

1 - Dir/Para.

1 - Dir/Sec.

1 - Asst. to DCI (Grogan)

1 - Gen. Counsel w/ basic

2 - Leg. Counsel

STAT

ER 9-4184A

EA

14 JUN 1957

will
Honorable John Marshall Butler
United States Senate
Washington 25, D. C.

Dear John:

STAT
This is in reply to your letter of 7 June 1957 concerning Mr. [] a former employee of this Agency, and enclosing a copy of a letter from him to you.

STAT
At the time Mr. [] was contemplating marriage to an alien, he submitted his resignation in accordance with Agency regulations, requesting permission to stay on as an employee after marriage. The case was personally reviewed at that time by the Deputy Director of Central Intelligence, and it was his decision that no reason existed for making an exception to the Agency policy which prohibits retention of employees who contract alien marriages.

STAT
Subsequently, as indicated in his letter, Mr. [] retained an attorney, Mr. Harold Green, who approached our General Counsel for reconsideration of the case. The matter was again considered personally by the Deputy Director of Central Intelligence and was also brought to my attention. I approved the original determination that no reason existed for an exception to the Agency policy. Mr. Green then addressed a letter to me giving his version of the entire affair, and the case was studied once more in detail. On 28 May 1957, having reviewed the results of this study, I wrote to Mr. Green and once more affirmed our position that no grounds existed for an exception to our policies in this regard. A copy of my letter to Mr. Green is enclosed. You will note that it deals with substantially the same points raised in the letter from Mr. [] to you.

Copy

The policies that have been adopted by this Agency with regard to alien marriages were put into effect only after the most careful consideration, and I firmly believe that they are necessary to the most effective administration of our activities.

I trust that the foregoing, together with the information in my letter to Mr. Green, will provide you with an adequate basis for a reply to Mr. [] If you desire further information on this case, we will be happy to furnish it.

STATT

With kindest regards.

Sincerely,

~~SECRET~~

Allen W. Dulles
Director

Enclosure

Cy of ltr to Mr. Green

IG/LC/NSPaul:fm (12 June 57)

CONCURRENCE:

Distribution:

- & 1 - Addressee
- ✓ 1 - DCI
- 1 - DDCI
- 1 - ER ✓
- 1 - Dir/Pers.
- 1 - Dir/Sec.
- 1 - Asst. to DCI (Grogan)
- 1 - General Counsel w/ basic
- 2 - Leg. Counsel

S/ 12 Jun 57
General Counsel Date

ER 9-4184A

14 JUN 1957

Honorable John Marshall Butler,
United States Senate
Washington 25, D. C.

Dear John:

STAT This is in reply to your letter of 7 June 1957 concerning Mr. [redacted], a former employee of this Agency, and enclosing a copy of a letter from him to you.

STAT At the time Mr. [redacted] was contemplating marriage to an alien, he submitted his resignation in accordance with Agency regulations, requesting permission to stay on as an employee after marriage. The case was personally reviewed at that time by the Deputy Director of Central Intelligence, and it was his decision that no reason existed for making an exception to the Agency policy which prohibits retention of employees who contract alien marriages.

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STAT (EXECUTIVE REGISTRY FILE

Copy

The policies that have been adopted by this Agency with regard to alien marriages were put into effect only after the most careful consideration, and I firmly believe that they are necessary to the most effective administration of our activities.

I trust that the foregoing, together with the information in my letter to Mr. Green, will provide you with an adequate basis for a reply to Mr. [] If you desire further information on this case, we will be happy to furnish it.

STAT

With kindest regards.

Sincerely,

SIGNED

Allen W. Dulles
Director

Enclosure

Cy of ltr to Mr. Green

IG/LC/NSPaul:fm (12 June 57)

CONCURRENCE:

STAT

Distribution:

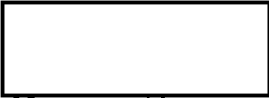
- O & 1 - Addressee
- 1 - DCI
- 1 - DDCI
- ① - ER
- 1 - Dir/Pers.
- 1 - Dir/Sec.
- 1 - Asst. to DCI (Grogan)
- 1 - General Counsel w/ basic
- 2 - Leg. Counsel

General Counsel

12 Jun 57
Date

MEMORANDUM FOR: The Director

The attached letter to Senator Butler is based on a recent letter from the Director to the Counsel of the Subcommittee on Constitutional Rights.


Norman S. Paul
Legislative Counsel

12 June 1957
(DATE)

STAT

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED		CONFIDENTIAL	
		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	INITIALS	DATE
1	Mr. Paul Legis. Coun.	7/2	6/21
2			
3	DDCI	CFC	7/8
4	ER - for file		
5			
6			
ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks: Do I need to respond to letter addressed to me now that DCI has replied? CFC No sir. It was our thought, and so pointed out to the Director in your absence, that this letter would do the trick. I believe the Committee is satisfied with our handling of the case. JWP			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
DEPUTY DIRECTOR			18 June
UNCLASSIFIED		CONFIDENTIAL	
		SECRET	